### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S,	)	
Plaintiff,	) )	
V.	) ) C.A. No. 05	5-614 (SLR)
ACAMBIS INC. and	)	
ACAMBIS PLC,	)	
Defendants.	)	

# EXHIBIT E TO ACAMBIS' REPLY IN SUPPORT OF MOTION TO DISMISS IN FAVOR OF MANDATORY ARBITRATION BN'S MISAPPROPRIATION OF TRADE SECRETS CLAIM

MORRIS, NICHOLS, ARSHT & TUNNELL LLP Mary B. Graham (#2256) Rodger D. Smith II (#3778) James W. Parrett, Jr. (#4292) 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899 302.658.9200

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Dated: July 26, 2006

## CONFIDENTIAL EXHIBIT

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 26, 2006, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

John W. Shaw, Esquire YOUNG CONAWAY STARGATT & TAYLOR LLP The Brandywine Building, 17<sup>th</sup> Floor 1000 West Street Wilmington, DE 19801

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on July 26, 2006 upon the following individuals in the manner indicated:

### **BY HAND**

John W. Shaw, Esquire YOUNG CONAWAY STARGATT & TAYLOR LLP The Brandywine Building, 17<sup>th</sup> Floor 1000 West Street Wilmington, DE 19801

### BY FEDERAL EXPRESS

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/s/ James W. Parrett, Jr.

James W. Parrett, Jr. (#4292)